

**SUPREME COURT MINUTES
THURSDAY, JULY 28, 2005
SAN FRANCISCO, CALIFORNIA**

S011636

PEOPLE v. BLAIR (JAMES N.)

Opinion filed: Judgment affirmed in full

Majority Opinion by George, C.J.
--- joined by Kennard, Baxter, Werdegarr,
Chin, and Moreno, JJ.

S122058

C042437 Third Appellate District

STATE PERSONNEL BOARD v. CALIF STATE
EMPLOYEES ASSN., LOC. 1000, SEIU, AFL-CIO
Opinion filed: Judgment reversed

and remanded to the Court of Appeal for further
proceedings consistent with the views expressed
in the opinion.

Majority Opinion by Baxter, J.
--- joined by George, C.J., Kennard, Werdegarr,
Chin, and Moreno, JJ.

S124003

A098872 First Appellate District,
Division Four

PEOPLE v. GARCIA (ROY LOPEZ)
Opinion filed: Judgment reversed

and the Court of Appeal is directed to remand
the matter to the trial court for a new trial.

Opinion by George, C.J.
--- joined by Kennard, Baxter, and Moreno, JJ.
Concurring and Dissenting Opinion by Chin, J.
--- joined by Werdegarr, J.

S135886

H028893 Sixth Appellate District

PEOPLE v. ADAMS

Petition stricken (case closed)

The petition for review filed July 27, 2005, is
hereby ordered stricken and returned to
appellant. (See Cal. Rules of Court, rule
28(a)(1).)

S127904

G031636 Fourth Appellate District,
Division Three

BALBOA ISLAND VILLAGE v. LEMEN

Extension of time granted

to file the answer brief on the merits to
September 21, 2005.

S131134

WILSON (MELVIN L.) ON H.C.

Extension of time granted

to file the informal response to August 25, 2005.

S135867

VAN AUKEN v. S.C. (GOST)

Transferred to CA 3

S134007

BILLINGS ON DISCIPLINE

Recommended discipline imposed

It is ordered that **NANCY J. BILLINGS, State Bar No. 182479**, be suspended from the practice of law for five years and until she has shown proof satisfactory to the State Bar Court of respondent's rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that she be placed on probation for five years on condition that she be actually suspended for three years and until she has shown proof satisfactory to the State Bar Court of respondent's rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. Respondent is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on March 29, 2005. Respondent is further ordered to comply with rule 955 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days,

respectively, after the effective date of this order.* Costs are awarded to the State Bar and one-third of said costs must be added to and become part of the membership fees for the years 2006, 2007 and 2008. (Bus. & Prof. Code, § 6086.10.)

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S134010**PINES ON DISCIPLINE**

Recommended discipline imposed

It is ordered that **DAVID A. PINES, State Bar No. 82644**, be suspended from the practice of law for two years, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on March 29, 2005. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.

S134013**PLEFKA ON DISCIPLINE**

Recommended discipline imposed

It is ordered that **MICHAEL JOSEPH PLEFKA, State Bar No. 97120**, be suspended from the practice of law for two years, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for six months and until he returns to Robert and Jeannie Kegley their documents and papers, and furnishes satisfactory proof thereof to the Office of Probation of the State Bar, as recommended by the Hearing Department of the

State Bar Court in its decision filed on March 23, 2005; and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California. Respondent is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating his actual suspension. If respondent is actually suspended for two years or more, he must remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that respondent take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that respondent comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7. *(See Bus. & Prof. Code, § 6126, subd. (c).)

S134014**MANTLE ON DISCIPLINE**

Recommended discipline imposed: disbarred

It is hereby ordered that **GREGORY E. MANTLE, State Bar No. 69153**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after

the date this order is effective.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S134015

MOORE ON DISCIPLINE

Recommended discipline imposed

It is ordered that **MICHAEL PATRICK MOORE, State Bar No. 55359**, be suspended from the practice of law for two years, that execution of the suspension be stayed, and that he be placed on probation for four years subject to the conditions of probation, including nine months actual suspension, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on May 3, 2005 as modified by its order filed May 12, 2005. Credit toward the period of actual suspension must be given for the period of interim suspension which commenced on August 9, 2004 (*In re Young* (1989) 49 Cal.3d 257, 270). It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2006, 2007, 2008, 2009 and 2010.

S134016

SANCHEZ ON DISCIPLINE

Recommended discipline imposed

It is ordered that **BENJAMIN SANCHEZ, State Bar No. 72505**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation, including 90 days actual suspension and restitution, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on

March 30, 2005. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2006 and 2007.

*(See Bus. & Prof. Code, § 6126, subd. (c).)